



AN ORDINANCE AS AMENDED
BY FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE TO AMEND THE GENERAL EMPLOYEES PENSION FUND LAW ADOPTED BY GA. L. 1927, ET SEQ. SO AS TO AMEND ORDINANCE NUMBER 01-0-0064, THE ESTABLISHMENT OF A DEFINED CONTRIBUTION RETIREMENT PLAN, SO AS TO PROVIDE FOR THE INCLUSION OF ALL ELECTED AND APPOINTED OFFICIALS; TO CLARIFY THE RIGHTS OF GENERAL EMPLOYEES PENSION FUND RETIREES WHO MAY BE ELECTED, APPOINTED OR REHIRED; TO PROVIDE FOR THE TRANSFER OF THE PRESENT ACTUARIAL VALUE OF AN EMPLOYEE'S PLAN BENEFIT UNDER THE GENERAL EMPLOYEES PENSION FUND INTO THE DEFINED CONTRIBUTION PLAN; TO INCORPORATE, BY REFERENCE, THE PROVISIONS OF THE PLAN DOCUMENT; AND FOR OTHER PURPOSES.

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS as follows:

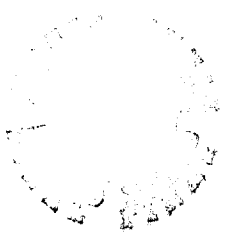
Section 1. The following sections in Ordinance number 01-0-0064 are hereby amended as follows:

Section 1. which provides as follows:

A defined contribution retirement plan, which shall be qualified as a governmental plan under the provisions of section 401 (a) of the Internal Revenue Code of 1986, as amended, is hereby established for all permanent employees of the City of Atlanta, except (i) those who are or would be covered under the Police Officers Pension Plan or the Firefighters Pension Fund (ii) temporary or casual employees or (iii) Atlanta Board of Education employees who are covered under the State of Georgia Teachers Retirement System.

is hereby deleted in its entirety and a new Section 1 is inserted in lieu thereof to read as follows:

Section 1. A defined contribution retirement plan, which shall be qualified as a governmental plan under the provisions of section 401 (a) of the Internal Revenue Code of 1986, as amended, is hereby established for all permanent employees and



all elected and appointed officials of the City of Atlanta, except (i) those who are or would be covered under the Police Officers Pension Plan or the Firefighters Pension Fund (ii) temporary or casual employees or (iii) Atlanta Board of Education employees who are covered under the State of Georgia Teachers Retirement System.

Section 4. which provides as follows:

The General Employees' Pension Fund is hereby amended to freeze future participation so that no new or rehired employees shall be eligible to participate in the General Employees' Pension Fund effective as of the effective date of the defined contribution retirement plan.

is hereby deleted in its entirety and a new Section 4 is inserted in lieu thereof to read as follows:

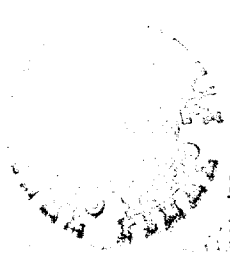
Section 4. The General Employees Pension Fund is hereby amended to freeze future participation so that no new or rehired employees shall be eligible to participate as a contributor in the General Employees Pension Fund effective as of the effective date of the defined contribution retirement plan subject to the following exceptions:

(a) An officer or employee who has resigned in good standing, pursuant to Code section 114-363, and returned to employment with the City within three years, and an officer or employee who has been separated or furloughed due to a reduction in force in accordance with section 114-379, and returns within two years and who is a member of the General Employees Pension Fund, and who has not withdrawn his/her employee contribution, shall be allowed to return as a member and contributor of the General Employees Pension Fund, provided however that if such officer or employee has withdrawn his/her employee contribution, he/she shall be required to repay said contribution within a period of five years of the date of his/her re-employment plus interest at a rate of seven percent per annum from the date of withdrawal of his/her contribution, to the date of re-employment.

(b) An officer or employee who has previously retired from the City as a member of the General Employees Pension Fund and is elected, appointed, or rehired, may continue to receive his/her benefits from the General Employees Pension Fund, should he or she so elect, and shall retain all rights and privileges to which he/she is entitled as a retiree of the General Employees Pension Fund.

Section 9: The General Employees' Pension Fund is hereby amended to provide that on or about November 1, 2001, all employees currently participating in the General Employees' Pension Fund shall be given the opportunity to elect whether to remain a participant in the General Employees' Pension Fund or to become a participant in the defined contribution retirement plan.

is hereby deleted in its entirety and a new Section 9 is inserted in lieu thereof to read as follows:



Section 9: The General Employees' Pension Fund is hereby amended to provide that on or about December 5, 2002, all employees currently participating in the General Employees' Pension Fund shall be given the opportunity to elect whether to remain a participant in the General Employees' Pension Fund or to become a participant in the defined contribution retirement plan.


Section 10. which provides as follows:

Employees who elect to participate in the defined contribution plan may be required to transfer the present value of their plan benefit under the General Employees' Pension Fund into the defined contribution plan.

is hereby deleted in its entirety and a new Section 10 is inserted in lieu thereof to read as follows:

Section 10. (a) Whenever any officer or employee of the city, hired prior to July 1, 2001, who is a member of the General Employees Pension Fund, shall elect to become a member of the City's Defined Contribution Plan, such employee may transfer from the General Employees Pension Fund to the City's Defined Contribution Plan, credit for all years of service which may have accrued to him or her while in the service of the city upon compliance with the provisions of this ordinance.

(b) Any officer or employee wishing to obtain the benefits of this ordinance, shall file a written statement to such effect with the secretary of the General Employees Pension Fund and with the Plan Administrator of the Defined Contribution Plan. Thereupon it shall be the duty of the Secretary of the General Employees Pension Fund to certify to the Plan Administrator of the Defined Contribution Plan, the total number of years of service accrued to the credit of such officer or employee and the amount due such pension fund by said employee for such credit, if any. The Board of Trustee of the General Employees Pension Fund shall cause the transfer of the present actuarial value of such officer's or employee's plan benefit to the Plan Administrator of the Defined Contribution Plan. In the event that such officer or employee shall owe any sum for prior service credits, said sum shall be payable by the employee to the Defined Contribution Plan. Upon such certification and transfer of funds, such officer or employee shall become entitled to credit for all years of service which may have accrued to him or her in the General Employees Pension Fund to the same extent as if such service had been rendered as a member of the Defined Contribution Plan, without the payment of additional contributions (other than amounts previously due for prior service credits). The present actuarial value of an officer's or employee's plan benefit transferred in accordance with the terms of this ordinance shall become the property of the Defined Contribution Plan.



c) The election of an officer or employee, pursuant to this section, to transfer from the General Employees Pension Fund to the Defined Contribution Plan shall be irrevocable.

Section 13 shall be deleted in its entirety and a new Section 13 shall be inserted which shall read as follows:

Section 13. The provisions of the plan document of the defined contribution plan shall be amended in accordance with this Ordinance and shall be incorporated herein by reference.

A new section shall be added which shall read as follows:

Section 14. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
APPROVED by the Mayor

SEP 16, 2002
SEP 24, 2002

RCS# 3984
9/16/02
2:03 PM

Atlanta City Council

Regular Session

CONSENT I Pgs. 1-14; except 02-O-1591; 02-O-1592
 02-R-1589; 02-R-1540; 02-R-1542
 ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	B Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

09/16/02 Council Meeting		
ITEMS ADOPTED ON CONSENT AGENDA		ITEMS ADVERSE ON CONSENT AGENDA
1. 02-O-1453	43. 02-R-1509	45. 02-R-1502
2. 02-O-1586	44. 02-R-1510	46. 02-R-1503
3. 02-O-1496		47. 02-R-1504
4. 02-O-1389		48. 02-R-1505
5. 02-O-1390		49. 02-R-1506
6. 02-O-0791		50. 02-R-1511
7. 02-O-1258		51. 02-R-1512
8. 02-O-1298		52. 02-R-1513
9. 02-O-1391		53. 02-R-1514
10. 02-O-1395		54. 02-R-1515
11. 02-O-1450		55. 02-R-1516
12. 02-R-1535		56. 02-R-1517
13. 02-R-1541		57. 02-R-1518
14. 02-R-1546		58. 02-R-1519
15. 02-R-1526		59. 02-R-1520
16. 02-R-1527		60. 02-R-1521
17. 02-R-1528		61. 02-R-1522
18. 02-R-1529		62. 02-R-1523
19. 02-R-1530		63. 02-R-1524
20. 02-R-1531		64. 02-R-1525
21. 02-R-1532		
22. 02-R-1560		
23. 02-R-1561		
24. 02-R-1615		
25. 02-R-1563		
26. 02-R-1564		
27. 02-R-1565		
28. 02-R-1566		
29. 02-R-1568		
30. 02-R-1569		
31. 02-R-1570		
32. 02-R-1572		
33. 02-R-1573		
34. 02-R-1574		
35. 02-R-1487		
36. 02-R-1533		
37. 02-R-1557		
38. 02-R-1558		
39. 02-R-1559		
40. 02-R-1616		
41. 02-R-1507		
42. 02-R-1508		

Consent I Vote: 14Yeas; 0 Nays (See RCS #3984)

Items Removed from Consent: 02-O-1591; 02-O-1592; 02-R-1589; 02-O-1540; 02-R-1542

02-0-0791
(Do Not Write Above This Line)

AN ORDINANCE

BY FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE TO AMEND THE GENERAL EMPLOYEES PENSION FUND LAW ADOPTED BY GA. L. 1927, ET SEQ. SO AS TO AMEND ORDINANCE NUMBER 01-0-0064, THE ESTABLISHMENT OF A DEFINED CONTRIBUTION RETIREMENT PLAN, SO AS TO PROVIDE FOR THE INCLUSION OF ALL ELECTED AND APPOINTED OFFICIALS; TO CLARIFY THE RIGHTS OF GENERAL EMPLOYEES PENSION FUND RETIREES WHO MAY BE ELECTED, APPOINTED OR REHIRED; TO PROVIDE FOR THE TRANSFER OF THE PRESENT ACTUARIAL VALUE OF AN EMPLOYEE'S PLAN BENEFIT UNDER THE GENERAL EMPLOYEES PENSION FUND INTO THE DEFINED CONTRIBUTION PLAN; TO INCORPORATE, BY REFERENCE, THE PROVISIONS OF THE PLAN DOCUMENT; AND FOR OTHER PURPOSES.

AS AMENDED

ADOPTED BY

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER SEP 16 2002
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred 5/26/02

Referred To: Finance / Executive

Date Referred

Referred To:

Date Referred

Referred To:

First Reading
Committee Finance / Executive
Date 5/15/02
Chair
Referred to Finance / Executive

Committee Finance / Executive

Date 5/29/02

Chair
Action: Refer

Fav. Adv. Hold (see rev. side)
Other: To Person

Members

C. T. Martin
John M. Davis

Refer To

Committee Finance / Executive

Date 9-11-02

Chair
Action: AS Amended

Fav. Adv. Hold (see rev. side)
Other: AS Amended

Members

John M. Davis
John M. Davis

Refer To

Committee

Date

Chair

Action:

Fav. Adv. Hold (see rev. side)

Other:

Members

Members

C. T. Martin
John M. Davis

Refer To

FINAL COUNCIL ACTION
2nd 9/13/02 ☐ 1st & 2nd ☐ 3rd
Readings
☒ Consent ☐ VOTE ☒ RC VOTE

CERTIFIED

SEP 16 2002

ATLANTA CITY COUNCIL PRESIDENT

John M. Davis

SEP 16 2002

John M. Davis
TECHNICAL CLERK

MAYOR'S ACTION

SEP 24 2002

MAYOR